



## Appeal Decision

Hearing held on 17 January 2023

Site visit made on 17 January 2023

**by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB**

**an Inspector appointed by the Secretary of State**

**Decision date: 14 February 2023**

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### **Appeal Ref: APP/C3105/W/22/3304021**

#### **Land west of Howes Lane, Bicester**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Albion Land against the decision of Cherwell District Council.
  - The application Ref 21/03177/F, dated 14 September 2021, was refused by notice dated 15 July 2022.
  - The development proposed is employment development (Use Classes E(g)(iii), B2 and/or B8) comprising 5 units within 3 buildings and associated parking and servicing, landscaping and associated works.
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#### **Decision**

1. The appeal is allowed and planning permission is granted for employment development (Use Classes E(g)(iii), B2 and/or B8) comprising 5 units within 3 buildings and associated parking and servicing, landscaping and associated works at Land west of Howes Lane, Bicester in accordance with the terms of the application, Ref 21/03177/F, dated 14 September 2021, subject to the attached Schedule of Conditions.

#### **Preliminary Matter**

2. I have used the description of development as stated in the decision notice as it more precisely describes the proposal than the description stated in the application form.

#### **Main Issue**

3. During the appeal the Council confirmed that it no longer contests the part of the reason for refusal related to residential amenity. It no longer considers there to be conflict with Policy ESD15 of The Cherwell Local Plan 2011 – 2031 Part 1 Adopted July 2015 (LP) and Policy C31 of the Cherwell Local Plan November 1996 which are cited in the reason for refusal.
4. Therefore, the main issue is whether the proposed development would accord with the Council's development strategy for employment land and housing.

#### **Reasons**

5. LP Policy Bicester 1 states, among other things, that planning permission will only be granted for development at North West Bicester in accordance with a comprehensive masterplan for the whole area to be approved by the Council as part of a North West Bicester Supplementary Planning Document (SPD).

6. The SPD allocates the site for housing and green infrastructure. Since the proposal is for employment development, it would conflict with this Policy.
7. LP Policy SLE1 supports employment proposals at Banbury, Bicester and Kidlington if they meet a number of criteria including proposals that are within the built-up limits of the settlement unless on an allocated site.
8. The supporting text for the Policy states that a flexible approach to employment development is set out in the Plan with a number of strategic sites allocated for a mix of uses and many allowing for different types of employment. It goes on to say that the LP identifies strategic sites for employment use in Banbury and Bicester, then refers to policies including LP Policy Bicester 1. Unlike the wording for LP Policy Bicester 1, LP Policy SLE 1 does not refer to the SPD.
9. On this basis, I consider that 'allocated site' as cited in LP Policy SLE 1 relates to the North West Bicester strategic site as allocated in the LP, rather than specific sites within the masterplan area allocated for employment use in the SPD. Therefore, since the site lies within this development plan allocation, it would meet this criterion. The criteria of LP Policy SLE 1 relating to new employment proposals within rural areas on non-allocated sites is therefore not relevant to this case.
10. Notwithstanding this, the proposal would conflict with LP Policy Bicester 1 as it would not be in accordance with the masterplan within the SPD.
11. Consequently, the proposed development would not accord with the Council's development strategy for employment land and housing as it would conflict with LP Policy Bicester 1.

### **Other Matters**

12. I note local concerns regarding traffic congestion and highway safety. The scheme proposes access to the site to be via an existing road that runs through the adjacent industrial area until a realignment of Howes Lane is constructed. The Transport Assessment provided by the Appellant indicates that fewer trips would be generated from the site as result of the proposed employment use compared with a residential use for the number of houses previously consented on the site. It also indicates that the proposal would result in no severe traffic or transport links. As such, there would be no undue adverse effects from the proposal in this respect.
13. During my site visit I visited the end of Wensum Crescent near Howes Lane and the footpath near Beckdale Close at a location approximately in line with the dwellings that back onto Howes Lane. It was clear that existing vehicular road traffic on Howes Lane can be heard from these locations. The Noise Assessment submitted by the Appellant analysed the effect of the proposal from a number of positions including roughly these locations. It concluded that the increase in noise levels from operational noise and traffic noise are expected to have a low impact. The scheme would therefore not result in a harmful impact on neighbouring occupiers with regard to noise.
14. The site is located within Flood Zone 1 and the Site-Specific Flood Risk Assessment and Drainage Strategy sets out mitigation measures that can be controlled by suitably worded conditions which would mitigate against effects that may adversely affect the development or surrounding areas.

15. Since the proposal would appear as a continuation of similar existing employment units on the adjacent site, there would be no adverse effects on the character and appearance of the area.
16. There is little substantial evidence before me to indicate that the proposal would give rise to adverse effects on the living conditions of neighbouring occupiers with regard to vibration, air or light pollution. Therefore, while I note the local concerns raised, these matters have not altered my overall conclusion.

### **Planning Balance and Conclusion**

17. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
18. The SPD states that it supports the implementation of LP Policy Bicester 1 and will be a material consideration in determining planning applications on the North West Bicester site. Since the masterplan is embodied within the SPD rather than the LP, it is not part of the development plan and therefore carries comparatively reduced weight.
19. As stated in the SPD, the masterplan shows the A4095 diverted through the site to provide a strategic route for the town and create an urban boulevard for the new development. This is part of the realignment of Howes Lane, known as the Strategic Link Road (SLR).
20. The evidence indicates that the funding for the SLR has been re-allocated to elsewhere in the district. As confirmed by the Council during the hearing, there is no further funding allocated for the SLR. As such, there is no certainty that the SLR will be delivered in the foreseeable future.
21. The Council stated that they are seeking contributions from developers of other sites within the masterplan area towards the SLR. However, given the importance of the SLR in the masterplan, the uncertainty of its funding and therefore its delivery, the weight attributed to the SPD is further reduced.
22. With respect to housing, the SPD states that when fully delivered, North West Bicester will provide up to 6,000 'true' zero carbon homes among other things, and sets out a number of principles and requirements to achieve this.
23. During the hearing it was confirmed by the Council that an outline permission for 150 dwellings on the site expired in December 2022 and therefore could not be implemented.
24. The Residential Viability Report submitted by the Appellant assessed the viability of the previously consented residential development at the site. It concludes that the appraisal outcomes indicate a substantial viability deficit, driven primarily by the abnormal site costs which include road works and the 'true' net zero costs of the Eco Town.
25. Although applications for housing developments have been granted elsewhere in the masterplan area, the Council accepted during the hearing that there was a need to be more flexible with policy requirements particularly with respect to affordable housing, environmental requirements, and eco-town build standards. As such, although it was not independently assessed by the Council, the

conclusions of the Residential Viability Report reflect the Council's experience in this respect.

26. Therefore, even if a transport impact assessment concluded that a scheme for housing on the site without the SLR would not result in a severe impact, there is no realistic prospect that a policy-compliant housing development could be delivered on the site within the next five years.
27. The Council are not able to demonstrate a five-year supply of housing, with the figure lying in the region of 3.5 years. The housing proposed as part of the previous permission on the site is not included in the Council's five-year housing land supply calculations. In any event, since housing on the site is not deliverable, the proposal for change of use of the site would not adversely affect the existing housing land supply position for the next five years.
28. The supporting text to LP Policy Bicester 1 states that the North West Bicester Eco-Town will play a major role in delivering the strategic growth identified for Bicester during and beyond the plan period. While it is possible that the cost of achieving the net zero requirements could reduce in the future, there is no certainty in this respect. Therefore, together with the uncertainty of the delivery of the SLR, the deliverability of policy compliant housing on the site in the long term is also in doubt.
29. Therefore, the harm that would result from the proposed change of use of the site and resulting conflict with LP Policy Bicester 1 would be limited.
30. The benefits of the proposed employment units include a significant number of new job opportunities at the site which could be delivered early in the plan period. This would contribute towards the employment requirements set out in LP Policy Bicester 1 and provide economic benefits during and after construction.
31. These significant benefits compared with the limited harm that would result from the development plan conflict are a material consideration which indicate a decision other than in accordance with the development plan.

### **Planning obligation**

32. The appellant has completed a legal agreement under Section 106 of the Act (a S106) in conjunction with Cherwell District Council which includes a number of obligations to come into effect if planning permission is granted. I have considered these in light of the statutory tests contained in Regulation 122 of The Community Infrastructure Levy (CIL) Regulations 2010. They relate to the following matters.
33. Biodiversity off-set contribution: the S106 secures payment of the financial contribution prior to the implementation of the development and is necessary to mitigate against the impact of the development on farmland birds.
34. Training and employment plan: the S106 requires a Training and Employment Plan to be submitted to and approved by the Council prior to the implementation of the development. The plan would include, as a minimum, details of arrangements to provide apprenticeships and local employment opportunities.

35. Monitoring: the S106 requires compliance with a Post Occupancy Monitoring Schedule and Construction Stage Monitoring Schedule which is necessary to ensure the development meets the standards set out in LP Policy Bicester 1.
36. Public art contribution: the S106 restricts occupation of the development until a public art contribution has been paid to the Council. It is necessary to ensure the development meets the requirements set out in LP Policy Bicester 1.
37. Public transport service contribution and infrastructure contribution: the S106 secures financial contributions towards public transport services and public transport infrastructure and is necessary to provide sustainable transport options to the site.
38. Rights of way contribution: the S106 secures payment of financial contributions towards public rights of way improvements prior to the first occupation of the buildings.
39. Travel plan monitoring contributions: the S106 secures financial contributions towards the cost of monitoring the travel plans over their life to be paid prior to the first occupation of the buildings.
40. Strategic highway safeguarding: part of the Strategic Highway falls within the site. Therefore, the S106 includes provisions to safeguard this land from future development that may delay or prejudice the use of the land for the construction of the Strategic Highway.
41. Highway works: the proposal includes off-site highway works including a pedestrian signalised crossing of Howes Lane and a length of cycle path on both sides of Howes Lane. The planning obligation requires that the development is not implemented until an agreement made pursuant to section 28 of the Highways Act 1980 has been entered into by the owner. It also restricts the first occupation of the proposed buildings until the highway works have been completed.
42. The above financial contributions are undisputed, and the terms of the obligations related directly to the development and fairly related in scale and kind. As such they would accord with the provisions of Regulation 122 of the CIL Regulations and the tests for planning obligations set out in the Framework.

### **Conditions**

43. Conditions specifying time limits and approved drawings and specifying the uses of the proposed buildings are necessary in the interests of certainty.
44. The condition regarding a Construction Method Statement is necessary to safeguard the living conditions of neighbouring occupiers and conditions regarding Construction Environmental Management Plan, protecting trees and BREEAM rating are necessary in the interests of biodiversity and sustainability. The conditions regarding a pedestrian and cycle path and road safety audit are necessary in the interests of highway safety. The condition relating to route servicing connections is necessary to safeguard the character and appearance of the area. These conditions need to be pre-commencement as they would be likely to affect the early stages of construction.

45. In the interests of biodiversity, conditions regarding bird nesting and planting are necessary. Conditions relating to the storage of goods, enclosures, acoustic fences and landscaping are necessary to safeguard the character and appearance of the area.
46. The condition relating to noise from plant and mechanical ventilation is necessary in order to safeguard the living conditions of neighbouring occupiers and the condition relating to contamination is necessary given the potential for the site to be contaminated land. Conditions regarding visibility splays, cycle parking and external lighting are necessary in the interests of highway safety.
47. Conditions relating to solar PV, biodiversity, air source heat pump, EV charging points and water consumption are necessary in the interests of sustainability. Conditions relating to real time energy and travel information, broadband service connection and Framework Travel Plans are necessary for connectivity and sustainability.

### **Conclusion**

48. For the reasons given above, the appeal should be allowed.

*R Sabu*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than [3] years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
  - 20019-TP-001 Rev F 'Site Location Plan'
  - 20019-TP-002 Rev R 'Proposed Site Plan'
  - 20019-TP-003 Rev L 'Proposed Site Finishes Plan'
  - 20019-TP-005 Rev C 'Units 1-3 Floor Plans'
  - 20019-TP-006 'Units 1-3 Roof Plans'
  - 20019-TP-007 'Units 1-3 Sections'
  - 20019-TP-008 Rev D 'Units 1-3 Elevations'
  - 20019-TP-009 Rev C 'Unit 4 Floor Plans'
  - 20019-TP-010 'Unit 4 Roof Plan'
  - 20019-TP-011 'Unit 4 Sections'
  - 20019-TP-012 Rev D 'Unit 4 Elevations'
  - 20019-TP-013 Rev B 'Unit 5 Floor Plans'
  - 20019-TP-014 'Unit 5 Roof Plan'
  - 20019-TP-015 'Unit 5 Sections'
  - 20019-TP-016 Rev C 'Unit 5 Elevations'
  - 20019-TP-023 'Cycle Shelter Details'
  - 20019-TP-024 'Refuse Enclose Details'
  - 20019-TP-025 'Entrance Canopy Details'
  - 20019-TP-026 'Fencing Details'
  - 20019-TP-027 Rev A 'External Finishes Sample Board'
  - S1209-PH3-02 Rev H 'SW Drainage Layout'
  - S1209-PH3-03 Rev F 'FW Drainage Layout'
  - S1209-PH3-04 Rev F 'Phase 3 External Works & Levels'
  - S1209-PH3-05 Rev A 'Phase 3 Typical Drainage Details'
  - S1209-PH3-06 Rev A 'Phase 3 Swale 1 Details'
  - S1209-PH3-07 Rev A 'Phase 3 Swale 2 Details'
  - S1209-PH3-DD01 Rev D 'Phase 3 Drained Areas'
  - S1209-PH3-DD02 Rev C 'Phase 3 MicroDrainage Network Design'
  - S1209-PH3-DD04 Rev B 'Phase 3 Exceedance Flood Route'
  - 1746-ESC-00-ZZ-DR-E-2100 Rev P3 'External Lighting Layout'
  - 14042-60-GA Rev N 'Access Road General Arrangement'

- 3) The development shall be used for uses falling within Classes E(g)(iii), B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (or their equivalent in subsequent enactments or re-enactments), only and shall be used for no other purposes whatsoever.
- 4) No development shall take place on any phase, until a Construction Method Statement (CMS) incorporating a Construction Traffic Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The approved CMS shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.
- 5) No development shall take place on any phase (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.
- 6) No development shall commence until full details including lighting, road markings, signal infrastructure, signage and drainage of a segregated pedestrian and cycle path leading from the development directly to Howes Lane and a signalised crossing of Howes Lane have been submitted to and approved in writing by the local planning authority. Thereafter no occupation shall take place until the path and crossing has been delivered in accordance with the approved details.
- 7) No development shall commence until full details of the access to the western parcel including a priority crossing for pedestrians and cyclists accompanied by a Stage 1 Safety Audit have been submitted to and approved in writing by the local planning authority. Thereafter no occupation shall take place until the access has been delivered in accordance with the approved details.
- 8) No development shall take place until any existing trees or vegetation to be retained have been protected in accordance with the approved Tree Protection Plan drawing number 10706\_P08 Rev A and Arboricultural Method Statement (TG Report No. 10706\_R11a\_RA\_CW) dated 20 August 2021 unless otherwise agreed in writing by the Local Planning Authority. The barriers shall be erected before any equipment, machinery or materials are brought onto The Site for the purposes of development and shall be maintained until all equipment machinery and surplus material has been removed from The Site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.
- 9) No development shall commence until details of the route of service connections (both under and over ground) for that phase, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 or its successor, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 10) No development shall take place until a scheme to demonstrate that the development will achieve BREEAM 'Very Good' shall be submitted to and



approved in writing by the local planning authority. The scheme shall set out a timescale for the provision of evidence, including certificates at design stage and post construction stages. Evidence of the achievement of BREEAM Very Good shall be provided in accordance with the approved scheme.

- 11) Prior to any development above slab level, details of visibility splays at all vehicle accesses within The Site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all agreed visibility splays shall be provided and kept clear of all vegetation and other obstructions over 0.9m in height from carriageway level.
- 12) All site clearance (including the removal of any vegetation or works to hedgerows) shall be timed so as to avoid the bird nesting season, this being during the months of March until July inclusive unless the Local Planning Authority has confirmed in writing that such works can proceed, based on submission of a survey (no more than 48hrs before works commence) undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the Site as required.
- 13) Notwithstanding the submitted landscape scheme and prior to the implementation of any landscaping, a scheme for landscaping The Site shall be provided to and approved in writing by the Local Planning Authority which shall include:-
  - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
  - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
  - (c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.
  - (d) full details, locations, specifications and construction methods for all purpose- built tree pits and associated above ground features, to include specifications for the installation of below ground, load bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees.

The approved scheme shall be implemented by the end of the first planting season following occupation of the development.
- 14) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or

- diseased shall be replaced in the next planting season with others of similar size and species.
- 15) No goods, merchandise, material, scrap, vehicles or vehicle parts shall be stacked or stored above a height of 2.5m above approved ground levels and no installation or storage of machinery or plant nor any repair work shall take place outside the building(s) hereby permitted.
  - 16) If, during development, contamination not previously identified is found to be present at the Site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
  - 17) Any operational plant should not exceed 71.5 dB (A) at 1m from the plant or 61.9 dB(A) at 3m from the plant between 07:00-23:00 or 55.1 dB(A) at 1m from the plant or 45.5 dB(A) at 3m from the plant between 23:00-07:00.
  - 18) Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no gate, fence or other means of enclosure shall be erected, constructed or placed on the Site (other than those shown on the approved plans or to be approved via planning condition 25) without the express planning consent of the Local Planning Authority.
  - 19) Prior to their installation on any building, full details of the solar PV including the quantum to meet the required level of PV to offset carbon to ensure a True Zero Carbon development, as set out by the Sustainability Statement prepared by Engineering Services Consultancy Ltd dated 03/11/2021 shall be submitted to and approved in writing by the Local Planning Authority. The solar PV shall be installed prior to first occupation of the relevant building and retained and maintained in working order thereafter.
  - 20) Full details of the proposals to provide a biodiversity net gain of 5.5% and enhance biodiversity as referred to within paragraphs 10.6.30, 10.6.31 and 10.6.32 of the Environmental Statement including the position and type of each proposed enhancement measure shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.
  - 21) Notwithstanding the submitted Landscape Management Plan and prior to the first occupation of the development a Landscape Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be managed and maintained in accordance with the approved LEMP thereafter.
  - 22) Prior to the occupation of any unit, full details of the enclosures along all boundaries and within The Site shall be submitted to and approved in writing by the Local Planning Authority. Such approved means of enclosure shall be erected prior to the first occupation of any unit.

- 23) Prior to the first occupation of any building to be provided with an air source heat pump, full details shall first be approved in writing by the Local Planning Authority prior to their installation. The air source heat pump shall be retained and maintained in working order thereafter.
- 24) Prior to the first occupation of any building, the provision for EV charging points shown on drawing number 20019-TP-003 Rev L titled 'Proposed Site Finishes Plan' serving that building shall be installed and made available for use and retained as such thereafter. In addition ducting should be in place to allow for the easy expansion of the EV charging system as demand increases towards the planned phase out of ICE vehicles (ideally ducting should be provided to every parking space to future proof the development).
- 25) Prior to the first occupation of any building, cycle parking to serve that building shall be provided in the positions shown for cycle parking on drawing number 20019-TP- 003 Rev L titled 'Proposed Site Finishes Plan' and in accordance with the approved details shown on drawing number 20019-TP-023 titled 'Cycle Shelter Details'. The cycle parking shall be retained and maintained for the parking of cycles in connection with the development thereafter.
- 26) Prior to the first occupation of the development, acoustic fences as shown on drawing number 20019-TP-003 Rev L titled 'Proposed Site Finishes Plan' shall be installed. Full details of the colour finish of the acoustic fences shall be submitted to and approved in writing by the local planning authority prior to their installation. The acoustic screens shall be finished in accordance with the approved colour finish and retained as such and as noise mitigation thereafter.
- 27) Prior to the first occupation of each unit, details of the measures to be installed in that unit to minimise water consumption shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. The measures shall thereafter be retained in an operational condition.
- 28) Prior to their installation on any building hereby approved, full details of any mechanical ventilation or extraction equipment shall be submitted to and approved by the Local Planning Authority. Thereafter the mechanical ventilation shall be installed, brought into use and retained in accordance with the approved details.
- 29) External lighting shall be provided in accordance with drawing number 1746-ESC-00- ZZ-DR-E-2100 Rev P3: External Lighting Layout. Lighting relating to an individual building shall be installed and made operational before the first occupation of that building and lighting serving the access road shall be installed and made operational prior to the first use of the road infrastructure. Any other external lighting shall first be approved in writing by the local planning authority prior to its installation.
- 30) No employment building shall be occupied until it has been provided with devices showing real time energy and travel information in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. The devices shall thereafter be retained in operational condition.

- 31) No employment building shall be occupied until it has been provided with service connections capable of supporting the provision of high-speed broadband from the building to the nearest broadband service connection outside The Site.
- 32) Notwithstanding the submitted Framework Travel Plan and prior to the occupation of the first employment unit, a Framework Travel Plan, prepared in accordance with the Department for Transport's Best Practice Guidance Note 'Using the Planning Process to Secure Travel Plans and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. The approved Framework Travel Plan shall be implemented in accordance with the details so approved.
- 33) Within three months from the occupation of each of units 4 and 5, a Travel Plan for that unit, prepared in accordance with the Department for Transport's Best Practice Guidance Note 'Using the Planning Process to Secure Travel Plans and its subsequent amendments', and in accordance with the Framework Travel Plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plans shall be implemented in accordance with the details so approved.

END OF SCHEDULE

## **APPEARANCES**

### FOR THE APPELLANT:

Paul Tucker KC	Counsel
Emma Lancaster	Quod
Chris Wheaton	Quod
Kelvin Pearce	Appellant

### FOR THE LOCAL PLANNING AUTHORITY:

Helen Lowe	Cherwell District Council
Caroline Ford	Cherwell District Council
Joy White	Cherwell District Council

### INTERESTED PARTIES:

Cllr Les Sibley	Councillor for Bicester West
Cllr John Broad	Local resident
Marcus Heath	Local resident

## **DOCUMENTS**

Hard copy of draft planning obligation  
Signed planning obligation  
Suggested conditions 16, 34 and 35